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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 BOARD OF TRUSTEES, et al.

No. C 08-05327 WDB

9 Plaintiffs,

**ORDER OF CONDITIONAL
DISMISSAL WITH PREJUDICE**

10 v.

11 INTERSTATE PAVING AND GRADING
12 INC.,

13 Defendant.
14 _____/

15 Plaintiffs having advised the Court that the parties have reached a settlement in the
16 above-captioned action, and having requested a conditional forty-five day dismissal with
17 prejudice,

18 IT IS HEREBY ORDERED that this action be dismissed with prejudice, provided that
19 if any party certifies to this Court, within forty-five days of the date of this Order, with proof
20 of service of a copy of such certification on opposing counsel, that the agreed consideration
21 for said settlement has not been delivered, the Order of Conditional Dismissal will be vacated
22 and the above-captioned action will be reopened and restored to the calendar to be set for
23 trial. The status conference set for June 3, 2009 is hereby VACATED.

24 **IT IS SO ORDERED.**

25 Dated: May 13, 2009

26 
27 WAYNE D. BRAZIL
28 United States Magistrate Judge